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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,108	12/07/2004	Adrianus Sempel	22173-70306	1317

24728 7590 10/26/2009  
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EXAMINER
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BODDIE, WILLIAM

ART UNIT	PAPER NUMBER
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2629

NOTIFICATION DATE	DELIVERY MODE
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10/26/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocket@mmmlaw.com  
jxs@mmmlaw.com  
pwang@mmmlaw.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/517,108	<b>Applicant(s)</b> SEMPEL ET AL.	
	<b>Examiner</b> WILLIAM L. BODDIE	<b>Art Unit</b> 2629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 29, 31, 33-35 is/are pending in the application.
- 4a) Of the above claim(s) 33-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29 and 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. In an amendment dated October 15<sup>th</sup>, 2009 the Applicants amended claim 29 and cancelled claims 11 and 33. Currently claims 29, 31 and 33-35 are currently pending and claims 33-35 are withdrawn.

### ***Response to Arguments***

2. Applicant's arguments filed October 15<sup>th</sup>, 2009 have been fully considered but they are not persuasive.

3. On page 5 of the Remarks, the Applicants argue that Tajima chooses a selection sequence according to the power consumption associated with each sequence and not the classification of the data content.

The Examiner respectfully disagrees. While true, one objective of Tajima is to lessen power consumption in the display, the selection of a select sequence is entirely based on the classification of the data content. Review of figures 12A – 13C support this view, in that it is the display pattern and data which are quite clearly determining the number of changes that occur in each scan sequence. It is an analysis of the data and its display patterns which directly determine the applied scan sequence.

4. On pages 5-6 of the Remarks, the Applicants argue that Herbert merely uses the classification as a basis for selection of a clock rate and not a selection sequence.

The Examiner agrees that Herbert does not disclose selection of a select sequence based on the classification of data as text and graphics. However, this is not necessary to find the claim 29 limitations obvious in view of Tajima and Herbert. Were Herbert to disclose altering the scan sequence based on text and graphics data

characteristics, Herbert would qualify as a 102 reference. The Applicants are individually attacking the references, when it is the combination of the two teachings which obviates the current claim 29.

To further explain the proposed combination, Tajima is seen as teaching the vast majority of the claimed limitations of claim 29, including wherein the control unit is configured to select the select sequence based on a classification of the data content. As discussed above, Tajima selects a scan sequence entirely on the classification of a data display pattern (e.g. checkered or two-line checkered pattern in figs. 12-13). Tajima does not disclose a classification based on text and graphics.

Herbert, while not teaching changing scan sequences, does indeed disclose speeding up or slowing down the scan sequence based on a classification of the display data as text and graphics (col. 4, lines 61-67). It is this manner of classification including text and graphics that is considered for introduction into the scan sequence selection process of Tajima. The motivation for classifying the data as additionally as taught by Herbert would have been to reduce screen swimming (Herbert; col. 3, lines 1-4).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fujiyoshi (US 6,211,854) discloses switching between progressive and interlaced scanning based on a classification of moving and still images (col. 6, lines 44-49).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima et al. (US 6,636,187) in view of Herbert (US 6,014,125).

**With respect to claim 29**, Tajima discloses, a display device comprising:

a display unit that is configured to display data content on a plurality of lines (fig. 9),

a control unit (482 in fig. 9) that is configured to select and scan the plurality of lines based on a select sequence of a plurality of line selection sequences (first and second scan sequencer in fig. 9),

wherein the control unit is configured to select the select sequence based on the data content (col. 10, lines 36-41; control unit selects the scan sequence that will result the least amount of changing display data; also note fig. 11).

Tajima does not expressly disclose wherein the data is classified as text or graphics and the select sequence selected based on the data classification. However it should be noted that it is likely that text displays, with often static, unchanging data, will result in a selection of scan sequence 1. Likewise, graphical display often involves dynamic, motion data and will likely result in selection of scan sequence 2.

Herbert discloses, wherein data content is classified using a classification that includes text and graphics (col. 4, lines 61-67), and the control unit is configured to

select the select sequence timing based on the classification of the data content (col. 4, lines 61-67).

Tajima and Herbert are analogous art because they are from the same field of endeavor namely flat panel display device control circuitry, specifically scan timing and selection.

At the time of the invention it would have been obvious to one of ordinary skill in the art to also select the scan sequence of Tajima based on whether the data is text or graphics, as taught by Herbert.

The motivation for doing so would have been to reduce screen swimming (Herbert; col. 3, lines 1-4).

8. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima et al. (US 6,636,187) in view of Herbert (US 6,014,125) and further in view of Kurumisawa et al. (US 6,262,704).

**With respect to claim 31**, Tajima and Herbert disclose, the display device of claim 29 (see above).

Neither Herbert nor Tajima expressly disclose, wherein the control unit is configured to select the select sequence based on whether the device is in a standby mode of operation.

Kurumisawa discloses, wherein a scanning select sequence is based on whether the device is in a standby mode of operation (Abstract).

Kurumisawa, Herbert and Tajima are analogous art because they are both from the same field of endeavor namely, scan line control.

At the time of the invention it would have been obvious to one of ordinary skill in the art to alter the scan sequence of the display of Tajima such that less lines are scanned in when the display is in a standby state, as taught by Kurumisawa.

The motivation for doing so would have been to further lower power consumption of the display (Kurumisawa; Abstract).

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM L. BODDIE whose telephone number is (571)272-0666. The examiner can normally be reached on Monday through Friday, 7:30 - 4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William L Boddie/  
Examiner, Art Unit 2629  
10/22/09